

REMARKS

The applicants respectfully request reconsideration in view of the amendment and following remarks. The applicants have amended the specification as suggested by the Examiner and have added the headings to the specification. The applicants have amended claims 11 and 13 as suggested by the Examiner and appreciate the Examiner pointing out these claim objections. However, support for less than 0.005 or greater than 4 can be found in the specification at page 1, lines 5-25 and page 3, lines 12-15. Support for newly added claims 28 through 30 can be found in the original claim 1 and in the specification at pages 12 and 13.

Claims 1-27 were rejected under 35 U.S.C. § 102(b) as anticipated by Hatke *et al.* U.S. Patent No. 5,610,253 ("Hatke"). The applicants respectfully traverse this rejection.

Applicants' invention pertains to a process for the preparation of a "bimodal" or multimodal amorphous polyolefin as a mix of two or more polymers having different molar masses. In such process, the polymers having different molar masses are prepared separately from each other, mixed in solution, homogenized in solution and subsequently the solvent is separated off.

Hatke describes the preparation of monomodal polyolefines having the same chemical composition, however, a narrow molar mass distribution. The Examiner at page 4 of the Office Action referred to working examples 1 and 4 and comparative example 2. However, the applicants cannot find the disclosure of a polymer mix therefrom.

Working example 1 pertains to the preparation of a cycloolefin polymer in solution using 1-octene as a chain length limitator, wherein the produce is a polymer having a molar mass expressed as M_w of from 10,400 g/mol and a M_w/M_n ratio of 2.2 which is a narrow distribution.

Working example 4 pertains again to the preparation of a cycloolefin polymer in solution using also 1-octene to limit the chain length, wherein the product is a polymer having a molar mass expressed as M_w of from 11,000 g/mol and a M_w/M_n ratio of 1.86 (see table 1 in column 9) which is a more narrow distribution.

Comparative example 2 pertains also to the preparation of a cycloolefin polymer in solution, wherein the 1-octene was omitted and the product was a polymer having a higher molar mass expressed as M_w of from 165,000 g/mol and a M_w/M_n ratio of 3.5 which is still a narrow distribution.

The applicants have informed the undersigned that the cited prior art does not describe a mix as claimed by the instant application, but rather the preparation of different polymers separately. Thus, there is no suggestion for the person of ordinary skill in the art to mix up the polymer solutions and to approach a polymer comprising two molar mass polymer fractions and having a broad bimodal molar mass distribution or multimodal molar mass distribution.


The values comprised in claims 12 to 15 of applicants' invention are relevant only for the polymer fraction having the high molar mass. This polymer fraction, however, is combined with another polymer fraction having a low molar mass. In the absence of any suggestion for the combination of the two polymers, the claimed mix is novel and is the result of an inventive step inasmuch as it was not obvious to the person of ordinary skill in the art whether a homogen polymer will result having a high transparency (see table 1 on page 21 of the specification) and valuable mechanical and rheological properties as well (see page 14, lines 5-9). For the above reasons, this rejection should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner disagrees, the applicants respectfully request that the Examiner contact the undersigned at (302) 888-6270.

A one-month extension fee has been paid. Applicant believes no further fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 05587-00324-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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